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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/604,790

08/17/2003

Chien-Kuo Kuan

17657.236a

1789

22913

7590

05/27/2009

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EXAMINER

LEE, CHEUKFAN

ART UNIT

PAPER NUMBER

2625

MAIL DATE

DELIVERY MODE

05/27/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/604,790	<b>Applicant(s)</b> KUAN ET AL.	
	<b>Examiner</b> Cheukfan Lee	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 7-12, 18, 19, 24-26, 28-33 and 35-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18, 19, 24-26, 28-33 and 36 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 7-12, 35 and 37-41 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

Art Unit: 2625

1. Claims 7-12, 18, 19, 24-26, 28-33, and 35-41 are pending. Claims 7, 18, 24, 30, and 37 are independent.

2. This application is in condition for allowance except for the following formal matters:

In claim 7, lines 8-9, the amended language "either one of ... or ..." should read -- either one of ... and ...", the correct grammar, or if preferred, -- either ... or ... --, also the correct grammar.

Claims 8-12 and 35 depend on claim 7.

In claim 37, line 11, the amended language "either one of ... or ..." should read as suggested for claim 7.

Claims 38-41 depend on claim 37.

In this Office action, claims 7-12, 35 and 38-41 are objected to.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 25 USPQ 74, 453 O.G. 213, (Comm'r Pat. 1935).

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

3. The following is an examiner's statement of reasons for allowance:

Claims 18 and 19 were allowed in the previous Office action mailed December 12, 2008 (which referred to the Office action mailed May 14, 2008). The reasons for allowance given in that action are repeated below.

Claim 18 requires “performing a first scan of the document using the second light source while the first light source is being heated”, “generating a first image according to the first scan”, “displaying the first image”, “following displaying of the first image, performing a second scan of the document using the first and second light sources”, “generating a second image according to the second scan, the second image having greater image quality than the first image”, and “wherein a warm-up time period of the first light source is longer than a warm-up time period of the second light source”. These steps in combination with other limitations of claim 18 are not taught by the prior art of record, including Hu et al. (U.S. Patent No. 6,104,510).

claim 19 depends on claim 18.

Claim 24 is allowable because the closest prior art Hu et al. (U.S. Patent No. 6,104,510) does not disclose the limitation on the last line of the claim, i.e., “to scan the document to shorten the scanning time period when the second input is received”.

Claims 25, 26, 28, 29, and 36 depend on claim 24.

Claim 30 is allowable because the first LED (Green LED or Red LED) of Hu et al., the closest prior art of record, is not a white light LED.

Claims 31-33 depend on claim 30.

Claim 7 would be allowable over the prior art of record. Chang et al. (U.S. Patent No. 7,079,791), cited in the Office action of September 18, 2007, discloses an apparatus employing a cold cathode fluorescent lamp (CCFL) and light-emitting diodes (LEDs), wherein the CCFL and LEDs are turned on simultaneously so that the LEDs serve as an auxiliary light source before the CCFL reaches a stable status. However, Chang et al. filed April 1, 2004 in the U.S. is not prior art to the present application filed August 17, 2003 and having a foreign priority date May 21, 2003.

Claims 8-12 and 35 depend on claim 7.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Two errors made by the examiner are found as a result of a review of the application history in eDan. The examiner apologizes for not reviewing the action thoroughly.

An error (typographical error) is found in the Office action of September 18, 2007. In section 7 on page 5 of the Office action, the rejection of claim 4, "Bliley et al. (U.S. Patent No. 7,102,801)" should have been Hu et al. (U.S. Patent No. 6,104,510), which was used in the body of the rejection of claim 4. The rejection of claim 4 was still valid.

Claim 4 was canceled in the amendment filed Jan. 28, 2008 responsive to the Office action of Sept. 18, 2007.

Another error found is the omission of citation of two references from the form PTO-892 (Notice of Reference Cited), which was an attachment to the Office action of September 18, 2007. The two references Nakashima et al. (U.S. Patent No. 4,926,253) and Hu et al. (U.S. Patent No. 6,104,510) were applied in the art rejection(s) of that Office action (see the above two paragraphs with regard to Hu et al.). Hu et al. was later cited in the Office action of May 14, 2008 and applied in the art rejection of that Office action. The only reference that did not appear on the PTO-892s is Nakashima et al. It is cited in the PTO-892 of this Office action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (571) 272-7407. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Cheukfan Lee/  
Primary Examiner, Art Unit 2625